

Employee Handbook

U.S. Department of Commerce



U.S. DEPARTMENT OF COMMERCE

EMPLOYEE HANDBOOK



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Using This Handbook

The purpose of this booklet is to help you learn about Commerce and your benefits, rights, and responsibilities as a Commerce employee.

The easiest and best way to use it is first to read it for general understanding. Next, when you need to get some specifics about a particular subject, look it up in the table of contents and reread that part carefully. You may want to highlight or underline those items for quick reference.

If, after careful reading, you still have questions or need more information, ask your supervisor or your personnel office.

A suggestion: Keep this manual with your permanent records. As situations occur and you make job decisions, it will be a continuing source of accurate information.

Using This Handbook

The handbook is divided into two main parts. The first part contains the general information and the second part contains the specific information.

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About Commerce

The U.S. Department of Commerce is some 36,000 Americans whose jobs are to promote the Nation's economic growth through an extraordinarily wide range of economic, scientific, and technical activities such as:

- Taking the Nation's economic pulse to answer the question, "How's business?"
- Advancing science and technology and conducting basic research in such fields as meteorology, oceanography, properties of materials, and measurement standards.
- Taking censuses of population, housing, and economic activities to provide statistical guidelines for an expanding economy.
- Disseminating scientific and technical information about new products and processes.
- Encouraging progress through patents.
- Increasing tourist travel to the United States.
- Promoting international trade.
- Providing business services for prosperity and national security.
- Helping to promote new industry in economically distressed areas, and to establish new minority enterprises and expand existing ones.

The major organizations in Commerce are the Office of the Secretary, the Bureau of Economic Analysis, the Bureau of Industrial Economics, the Bureau of the Census, the Economic Development Administration, the International Trade Administration, the Minority Business Development Agency, the National Bureau of Standards, the National Oceanic and Atmospheric Administration, the National Telecommunications and Information Administration, the National Technical Information Service, the Patent and Trademark Office, and the United States Travel and Tourism Administration. Each of these organizations has its own unique contributions to make to Commerce's mission, "to foster, serve, and promote the nation's economic development and technological advancement." The following chart displays the organizational structure of the Department.

JUNE 25, 1982



Filling Jobs

Merit Principle

Most of the jobs in Commerce are filled under the competitive civil service system, which is governed by merit principles. Under the merit system, job vacancies are made known, candidates compete for the vacancies on the basis of individual qualifications, and selections are made without regard to any non-merit factor. The minimum qualifications for most jobs are fixed by the Office of Personnel Management and are the same throughout the Government. However, the method of advertising vacancies and rating qualified candidates varies with the job and the organization. You may want to find out soon how vacancies are advertised in your organization.

Equality of Opportunity

Commerce offers equal opportunity in all employment matters to all persons. No employment decision is made on the basis of race, color, religion, non-disqualifying physical handicap, lawful political affiliation, national origin, age, marital status, or other non-merit factors. The Department not only prohibits discrimination, it promotes equality of opportunity through its affirmative action programs.

Kinds of Appointments

Career Conditional. Most new appointments in the Federal service are of this kind, when the person competes successfully in an open, competitive civil service exam and is appointed to a permanent position. Career conditional employees may take other jobs in the competitive service without having to compete on another civil service exam. Their status also gives career conditional employees a variety of rights, including retention standing in reductions in force and due process rights in involuntary separations after a year of service.

Career.—Three years of continuous Federal service in a competitive position as a career conditional employee confers career status. In addition to the rights of career conditional employees, career employees enjoy indefinite reinstatement rights and the highest retention standing during reductions in force.

Temporary.—These appointments are usually made when there are short-term projects that require additional employees for a year or less. Temporary appointments may be terminated at a predetermined time, or at any point up to the maximum length of the appointment.

Excepted.—Some appointments are excepted from the requirements of the competitive merit system. For example, attorneys, consultants, census enumerators, vessel employees, some student trainees, and Presidential appointees are not in the competitive service. The filling of these positions is not covered by the rules of the merit system.

Senior Executive Service.—Positions above the grade level of GS-15 or the 8 equivalent, other than consultants or experts, and positions filled by the President with the consent of the Senate, are filled by appointment to the Senior Executive Service (SES). There are several kinds of SES appointees. Career appointees are Senior Executives whose current or previous appointment to an SES position was based on competition and approval by the Office of Personnel Management of the individuals' executive managerial qualifications. Other kinds of SES appointments are limited term, limited emergency, and noncareer appointment.

Probationary or Trial Period

Career conditional employees and employees on indefinite appointments in the excepted service serve a one-year probationary or trial period. It is the final step of the selection process, during which the employee's competence and suitability for permanent employment are evaluated. Probationary employees may be separated merely by written notice that their continued employment is not in the interests of the Government.

Changing Jobs in the Department

Reassignment.—After three months from your first appointment, you are eligible to be reassigned to another job at your grade level that you are qualified to do by your experience and education. Sometimes, the organization may request or require that you accept a new position, either locally or in another commuting area. In other cases, you may seek out a new job for yourself and apply to be reassigned. In most cases, the job changes are made by mutual agreement, and any expenses (e.g., travel and transportation) required of the employee are paid by the agency.

Promotions.—Most jobs have a fixed career ladder; that is, a highest grade level in which most people in the job can expect to be promoted. If your first appointment in the Department is not at the highest level permitted for your job, you may be considered for promotion to the next grade or

level as you assume increasingly difficult or responsible duties. However, civil service regulations demand that a certain minimum amount of time (usually one year) be spent at your current grade before promotion to the next level.

Many jobs in the Department are filled competitively from within the Federal service. In these cases, the job vacancy is announced (keep an eye on your bulletin boards and job announcement publications) and the organization invites applications. The qualifications of all applicants are evaluated

by preset standards, and a selection is made from among the best-qualified. Your own personnel office can advise you of how to track vacancy announcements.

Details.—A detail is a temporary assignment to another position. A detail may be necessary when there is a peak workload to be handled or when some other emergency situation arises. Ordinarily, details are for short periods. Except in unusual situations, noncompetitive details do not exceed 120 days.

Pay

Pay Day

Most Department employees are paid every two weeks, usually every other Wednesday. There is a time lag of 10 days between the end of a pay period and the pay day for that period. Normally, your paycheck will be delivered directly to your worksite. However, you can arrange to have your check mailed to your bank, deposited in a credit union account, etc.

Pay and Deductions

With every paycheck, you will receive a statement of earnings that shows the amount of your gross pay, the amount for each deduction, and the amount of take-home pay. The following deductions will be made: Federal income tax; state or D.C. tax; retirement for employees under the Civil Service retirement system, or Social Security for other employees; group life insurance, unless you have waived coverage, and health insurance plans. Deductions may also be made at your request for U.S. Savings Bonds, for contributions to the Combined Federal Campaign, for union dues, or for allotments to a credit union or other savings institution.

Pay Systems

There are four pay systems in Commerce.

Most Department employees are under the "General Schedule" (GS) for white collar employees in administrative, technical, or clerical positions. The rate of pay for each GS grade (1-18), and for steps within the grade, are uniform nationwide and are fixed by law. A table at the end of this chapter shows the current GS pay rates. They may be adjusted each October by the President and the Congress, depending on changes in pay rates in comparable positions in private industry, and a variety of other factors.

Employees who are supervisors or management officials in occupations covered by the General Schedule and who are in positions classifiable at the GS-13, 14, or 15 level, are paid under the Merit Pay System (GM). The pay ranges for each grade under merit pay correspond to the GS pay range of the same grade, and so, like the GS, the pay ranges for each GM grade are uniform nationwide and may be adjusted each October. However, unlike GS employees, merit pay employees do not progress through the pay range in fixed steps based on longevity and merely acceptable performance. The exact rate of pay and the size of pay increases

for merit pay employees are related directly to their performance appraisal. Merit pay employees may earn a pay increase each year, and with superior performance, the size of the increase may substantially exceed the value of a single step.

Blue collar workers are paid under the Prevailing Rate System. These positions are often called "Wage Grade" or "Wage Board" jobs, and are coded as WG, WS, WL, WP, WI, or WD. Rates of pay for these jobs are different in different localities and are set by periodic surveys of the rates being paid by typical employers in each locality.

Senior Executive Service employees are paid under a system (ES) established by the Civil Service Reform Act of 1978 for most employees previously graded at the GS-16 to GS-18 level under the General Schedule, and for some employees of the Executive Schedule. There are six levels in the ES system, the lowest corresponding to the first step of a GS-16. Individual rates of pay are determined by qualifications, performance, and position requirements.

Except for the Senior Executive Service (SES), the grade of your position controls how much you can be paid. Your exact pay within the range allowed for that grade may be affected by your time in grade and the level of your performance. SES positions are not graded; the pay level (e.g., ES-5) set for an employee refers only to the pay rate for that level and is independent of the duties and responsibilities of the job.

Pay for Your Position

Managers and supervisors in charge of programs decide how the work will be organized and what the duties of each job will be. For every job, a formal position description is written, and you should have, or will receive, a copy of yours.

Position classifiers in the personnel office compare the duties of your job with a set of government-wide job grading standards. The standards describe the level of difficulty and responsibility for each grade in each line of work. These standards are used to set the grade of your position, and they are available for you to review.

Pay Increases

Under the General Schedule, there are up to 10 pay rates called steps within each grade. Usually, new employees start at the first step. There is a defined minimum "waiting period" before a GS

employee can advance to the next step of the grade. For steps 2, 3, and 4, the waiting period is 52 weeks; for steps 5, 6, and 7, it is 104 weeks; for steps 8, 9, and 10, it is 156 weeks. If, at the end of the waiting period, a GS employee is performing at an acceptable level, a pay increase to the next step is granted. In cases of exceptionally high performance, an employee may advance a step during the waiting period.

Merit pay employees do not progress through steps like GS employees. Rather, increases are based on periodic pay comparability adjustments and performance level.

Under the Prevailing Rate system, each grade of a regular wage schedule currently has five rates to which an employee may progress with satisfactory work performance. There may be differences for other prevailing rate wage schedules such as those in the printing occupations. Employees under a regular wage schedule may advance to Rate 2 after 26 weeks at Rate 1; to Rate 3 after 78 weeks at Rate 2; and to Rates 4 and 5 after 104 weeks at the next lower rate.

Pay increases for SES employees result from periodic adjustments by the President in the six basic rates of pay, and from performance-related factors.

Premium Pay

Overtime Pay.—There is extra pay for overtime work scheduled and approved in advance. Unless you are working under a non-traditional work schedule, you earn overtime pay when you work more than eight hours in a day or more than 40 hours in a week, but only if the work is officially ordered or approved, or if overtime pay is otherwise required by law. The overtime rate is one and a half times the usual hourly rate, except that GS employees may not be paid an overtime rate more than one and a half times the minimum rate of a GS-10. Under certain conditions (see your personnel office), some employees may be given compensatory time off instead of overtime pay.

Holiday Pay.—If you have to work on a holiday, you will receive double the usual hourly pay for up to eight hours. For time worked over eight hours, you will be paid at the regular overtime rate—time and a half.

Sunday Pay.—Occasional work on Sunday outside the normal tour of duty is considered overtime work. However, if Sunday is part of your regularly scheduled workweek, you are paid at your rate of basic pay plus a Sunday premium of 25 percent of your basic rate for each hour of Sunday work which is not overtime.

Night Pay.—If you work at night as part of a regular tour of duty (as opposed to occasional overtime work at night), you will earn a "night differential." A GS employee receives an additional 10 percent of basic pay for any hours worked

between 6 P.M. and 6 A.M. This night pay is ignored in the computation of overtime, holiday, or Sunday pay, and in deductions for retirement. A wage system employee earns seven and a half percent additional pay for the entire shift, if more than half of the shift (e.g., five out of eight hours) falls between 3 P.M. and midnight. When more than half of the shift falls between 11 P.M. and 8 A.M., the night differential is 10 percent of basic pay.

Annual Premium for Standby Work.—Premium pay on an annual basis can be approved for certain GS jobs where employees have to serve extra-long tours of duty in a "standby" status, such as firefighters, and for jobs with irregular hours and a lot of overtime, such as criminal investigators. Premium pay on an annual basis substitutes for the extra pay that would otherwise be earned by night work, overtime, etc.

Hazardous Duty Pay.—GS employees may receive as much as an additional 25 percent of the basic rate of pay for periods of time when they are exposed to serious physical hardships or hazards that are not regularly encountered in the job. This type of pay is not authorized when hazards and hardships which are a regular part of the job have been considered in the grade of the job.

Environmental Differential.—Prevailing rate system employees may be paid up to 100 percent in addition to their basic pay for periods of exposure to various hazards, physical hardships, and unusual working conditions. Environmental differentials may be paid for hours of actual exposure or for entire shifts.

Limit on Premium Pay.—In any biweekly pay period, a GS employee may not receive premium pay which would result in a total compensation greater than the highest rate for a GS-15. This restriction does not apply to employees covered by the Fair Labor Standards Act, nor to post differential or quarters allowance paid to overseas employees.

Retained Pay

Employees (except those on time-limited appointments) who are involuntarily changed to a lower grade through no fault of their own are entitled to retain their grade and pay for two years. When the grade retention ends after two years and the positions are downgraded, these employees are entitled to the lowest scheduled rate of pay in the lower grade which meets or exceeds their current rate of pay. If their current rate of pay is higher than any scheduled rate in the lower grade, the downgraded employees retain their current pay rate or 150 percent of the maximum rate of the new, lower grade, whichever is less. While an employee is receiving retained pay, he/she is entitled to 50% of any general comparability increase in the maximum rate of the new, lower grade.

Work Hours

Hours of Duty

Most employees in the Department work a fixed schedule of 40 hours per week—eight hours per day, Monday through Friday, with time out for lunch. The most common work hours are 8:30 A.M. to 5:00 P.M. Some organizations of Commerce have non-traditional work schedules which permit their employees flexibility in selecting their hours of work. These flexible schedules may even permit working less than five days a week, as long as the total work hours in a pay period are eighty. Your supervisor will tell you what your hours of work will be, or what choices you have, if any.

Overtime

You may be required to work additional hours outside your usual work hours. If it is necessary for you to work overtime, you will be paid for the additional hours or in certain circumstances, be given equal time off at another time (compensatory time).

Holidays

The following holidays are observed in the Federal Service:

New Years Day, January 1

Washington's Birthday, the third Monday in February

Memorial Day, the last Monday in May

Independence Day, July 4

Labor Day, the first Monday in September

Columbus Day, the second Monday in October

Veteran's Day, November 11

Thanksgiving Day, the fourth Thursday in November

Christmas Day, December 25

If a holiday falls on Saturday and you do not regularly work on Saturday, you will have a holiday on the preceding Friday. If a holiday falls on Sunday and you do not regularly work on Sunday, you will have the holiday on the following Monday. For employees whose workweek is not Monday through Friday, if a scheduled holiday falls on a non-workday, the first workday before the scheduled holiday is a holiday.

NOTES

Insurance Benefits

Health Insurance Program

Under the Federal Employee's Health Benefits Insurance Program, you may protect yourself and your family against the costs of illness and accident. It is a voluntary program, and the decision to join is entirely up to you.

Program Highlights.—You have a choice of several health plans with different benefits and different prices. All of them, however, offer the following advantages:

- The rates and protection are better than you can get as an individual
- There is no medical examination, no age limit, and no waiting period
- The Government pays some of the cost of membership
- Your membership payments are easier through payroll deductions
- Special benefits apply in the event of catastrophic illness
- You receive continued protection at no increase in cost after you retire.

Choices.—A variety of health plans are offered through the Federal Government. Some are open to all eligible employees; some are open to members of labor organizations; and some depend on the area of residence. They differ in cost and benefit. The choice will depend on your particular needs.

You will want to study carefully the brochures on all the plans available to you. Consider your family's health care and needs, the specific benefits and costs of each plan, and what you can afford to pay. Then pick the plan that best suits you. Standard Form 2809 is used for all enrollment and changes in coverage and is available in your personnel office.

Enrollment.—New employees must register to enroll or not to enroll within 31 days after joining the Department. Those serving under temporary appointments of one year or less and intermittent employees (those with no regular tour of duty) are not eligible to join.

If you register not to enroll, or become dissatisfied with the health plan you chose, you will have to wait until the next open enrollment period to change your enrollment, unless you have a change in marital or family status. Open enrollment periods usually occur each year in November and are announced

to all employees. Changes in enrollment may be made within a limited period of time when there is a change in family or marital status.

You should always check with your personnel office promptly if you want to change enrollment.

Family Coverage.—A "self and family" enrollment includes you and your wife or husband, unmarried children under 22 (including adopted or foster children or stepchildren if they live with you), and any child over 22 who is incapable of self-support because of a disability that began before the child's 22nd birthday. You cannot include parents or other relatives even if they live with you and are dependent on you.

Changes in Family Status.—If you are already enrolled under a health benefits plan, you may change your enrollment from self alone to self and family, or the reverse, within 60 days after any change in family status. Examples of changes are the birth, death, marriage of a child, or a child's attaining the age of 22. A newborn child is automatically covered under a family enrollment at birth.

Changes in Marital Status.—You may register to be enrolled or you may change your enrollment from self alone to self and family, or the reverse, if you change marital status. This could occur by marriage, death of spouse, divorce, or legal separation. The registration or change may be submitted any time from 31 days before the change in marital status to 60 days after it.

Involuntary Termination of Coverage.—If your coverage under the enrollment of a family member is terminated for any reason except cancellation, you may enroll within 31 days after termination. If the termination is caused by death, the period allowed is extended to 60 days. If the plan you joined is discontinued, or if you transfer from the area covered by the plan during the 31 days following termination, you may join another plan.

Coverage After Retirement.—You may continue your coverage after retirement if you: receive an immediate annuity, retire on disability or after completing at least 12 years of service, were enrolled in the program during all of your service from the time of your first opportunity to join, or were enrolled for the five years of service before you retire.

Survivor Annuity.—When an enrolled employee or annuitant dies, the members of the family are eligible to continue their coverage—pro-

vided at least one of them receives an annuity under the retirement system.

Coverage During Leave Without Pay.—Your coverage continues at no cost to you during any period of leave without pay up to one year.

Conversion.—If coverage terminates for any reason other than cancellation, you or any member of your family have a temporary extension of 31 days during which conversion may be made to a nongroup contract at standard rates. This provision is important to persons who might not be able to qualify for a regular policy because of their physical condition. Upon resignation, you will be given details concerning conversion.

Cancellation.—You may cancel your enrollment at any time.

Group Life Insurance Program

Through the Federal Employees Group Life Insurance Program (FEGLI), you have the opportunity to participate in this group plan which offers reasonable rates and the convenience of payment through payroll deductions. In addition, the Government pays one-third of the cost of your Basic Life Insurance.

Coverage.—You are automatically covered by Basic Life insurance unless you sign a waiver stating that you do not want it. However, if you want one of the Optional insurance plans, you must sign up for it. Your personnel office can give you Standard Form 2817 for waiving Basic Life.

A. Basic.—

The amount of Basic Life is based on your annual salary rounded to the next thousand, plus \$2,000. The cost to you is 24 cents biweekly, or 52 cents monthly, for each \$1,000 of the Basic Life insurance amount. There is an extra benefit for employees under age 45. This extra benefit doubles the amount of Basic Life insurance payable if you are age 35 or younger. Beginning on your 36th birthday, the extra benefit decreases 10% each year until, at age 45, there is no extra benefit. The extra benefit for employees under age 45 is provided without additional cost.

B. Options.—

1. Option A—Standard.—If you have enrolled for Basic Life, you may elect Option

A—Standard in the amount of \$10,000. You pay the full cost of the insurance.

2. Option B—Additional.—If you have enrolled for Basic Life, you may elect Option B—Additional in an amount equal to one, two, three, four or five times your annual basic pay. You pay the full cost.

3. Option C—Family.—If you have enrolled for Basic Life, you may elect Option C—Family to cover "eligible family members": \$5,000 for your spouse and \$2,500 for each dependent child. You pay the full cost.

Coverage During Leave Without Pay.—Your coverage continues at no cost to you during any period of leave without pay up to one year.

Eligibility.—All DOC employees are eligible except those serving under temporary appointments of one year or less or on an emergency, seasonal, or intermittent basis.

Retirement/Separation.—Your Basic Life coverage may be continued when you retire if: (1) you retire on an immediate annuity; (2) you have been insured for this Basic Life coverage for the entire period during which coverage was available to you or for the last five years of service immediately before your retirement; and (3) you do not convert it to an individual policy. Accidental Death and Dismemberment coverage stops at retirement. The cost of post-retirement Basic Life insurance depends on the level of protection that you choose at the time you retire.

You are eligible to continue your optional coverage into retirement if you are eligible to continue Basic Life and you have been covered for the five years of service immediately preceding retirement or since your first opportunity to enroll.

If you leave Government service, but not for retirement, your insurance continues for 31 days. You can convert it during this period to an individual life insurance policy at standard rates without a medical examination.

Cancellation.—You may cancel your insurance at any time, but once you do, it is not easy to become reinsured. You would be required to wait one year, have a medical examination, and be under 50 years of age.

Time Off

There are several kinds of leave, or approved absence from the work site. The most common kinds are annual leave, sick leave, court leave, military leave, funeral leave, maternity (paternity) leave, and leave without pay. Other kinds of absences from the regular work site are absence without leave and excused absence.

Annual Leave

Annual leave is time off for vacations or other personal reasons.

Earning.—How much annual leave you earn depends on your length of Federal service. Full-time employees with less than three years Federal service earn four hours of annual leave per pay period. With three to 15 years of service, employees earn six hours of leave per pay period, plus four additional hours the last pay period of the year, rounding the total to four weeks (160 hours) for the year. Full-time employees with more than 15 years of service earn eight hours per pay period. Part-time employees' earnings of annual leave are reduced in proportion to the number of hours less than full-time they work.

Use.—While you have a right to use the annual leave you earn, your absence on annual leave must be approved by your supervisor. Usually, you should get approval for leave in advance. In emergency situations, where you could not foresee the need to take leave, you should notify your supervisor as soon as possible.

Carrying Over Annual Leave.—If you are employed in the United States, the maximum amount of leave you may save and carry forward from year to year is 30 days. Any leave you have to your credit over 30 days at the end of the leave year is liable to be forfeited. There are a couple of exceptions to the 30-day limit: (1) employees stationed overseas may carry over up to 45 days of annual leave; (2) employees who at the beginning of 1953 had leave balances in excess of 30 days may carry over an amount of annual leave equal to their lowest year-end balance since, or 240 hours, whichever is greater; (3) SES employees who accrue leave without limit may carry over any amount; and (4) former SES employees, whose annual leave balance is greater than 240 hours at the time of their departure from SES, may carry over their lowest year end balance since, or 240 hours, whichever is greater.

Restoration of Annual Leave.—Normally, any annual leave in excess of your carry-over limit

will be forfeited. However, forfeited annual leave may be restored under either of these conditions: the leave was earned since June 30, 1960 and was lost through administrative error; or leave was scheduled and approved more than six weeks before the end of the leave year and was not used because of sickness or the unavoidable press of business. You may get more information on the restoration of annual leave from your supervisor or your personnel office.

Lump Sum Payment.—If you leave the Federal service, you will be paid in a lump sum for any annual leave to your credit.

Sick Leave

Sick leave is time off when you are medically indisposed to do your job.

Earning.—All full-time employees regardless of their length of service earn four hours of sick leave each biweekly pay period, a total of 13 days a year. Other employees who are eligible for sick leave earn it at the proportional rate of one hour for each 20 hours in a pay status.

Use.—Sick leave may be used only:

- When you are unable to work because of sickness, injury, pregnancy, or confinement.
- When your presence at work would jeopardize others because of exposure to contagious disease, or when a member of your immediate family has a contagious disease and requires your care and attendance.
- For medical, dental, or optical examination or treatment.

There are a few simple rules on the use of sick leave:

- Use sick leave as little as possible, and only for the reasons given above. Sick leave is not to be used for rest, minor indispositions, or to supplement annual leave.
- If you are too sick to come to work, let your supervisor know before or as soon as possible after the time you are scheduled to report for duty.
- Ask your supervisor in advance when you want to use sick leave for medical, dental, or optical examination or treatment.
- Obtain a statement from the doctor who treats any problem that keeps you off the job for more than three days.

If you disregard these guidelines, you may be required to document every absence on sick leave, or the time may be charged to annual leave or to absence without leave rather than sick leave. Repeated disregard of the rules may result in disciplinary action.

There is no limit on the amount of sick leave you can accumulate for use in succeeding years. It is to your advantage to preserve your sick leave in case you need it for a serious injury or a long illness. When you retire, your accumulated sick leave (in whole months) is added to your length of service to produce a larger annuity. If you leave the Government, there is no payment for unused sick leave, but such leave is recredited if you are reemployed within three years of separation.

Other kinds of Paid Leave

Court Leave.—If you are called to serve on a jury, or to serve as a witness in a case to which the Government is a party, you will be paid during your absence without charge to your annual or sick leave accounts. However, if you are summoned as a witness in a civil suit between two private parties, you must be charged with annual leave or leave without pay. Of course, if your witness service is part of your official duties, you are not considered on leave at all, but in a duty status. Generally, when you are on court leave, you may not keep any fees paid by the court; however, you may be entitled to certain expenses paid by the court. If you are about to go on court leave, please seek the advice of your personnel office.

Military Leave.—If you have a regular work schedule and a permanent appointment and you are in the National Guard or a military reserve organization, you are entitled to military leave with full pay and without charge to annual leave while you are on active duty or training. Your military leave is limited to your current accumulation. You earn 15 calendar days of military leave a year, and may carry over as much as 15 calendar days from year to year.

Employees who are members of the District of Columbia National Guard are entitled to be absent to attend parades or encampments without a reduction in pay or charge to annual or military leave. If you are called to duty in the Reserves or the National Guard in support of law enforcement (for example, to restore public order, prevent looting after a natural disaster), your absence for these purposes is without charge to annual or military leave, and without loss of pay, for up to 22 workdays in a year. However, the money you receive for such law enforcement duty or authorized parade or encampment must be deducted from your civilian salary.

Funeral Leave.—Attendance of funerals is generally a private matter and your absence from work would be on annual leave. However, in two cases there is no charge to annual leave for these

absences. An employee may have up to three days of funeral leave in connection with the funeral or memorial service of an immediate relative whose death is a result of military service in a combat zone. Second, a military veteran may be excused from duty for up to four hours to serve as a pall bearer or on a firing squad or guard of honor at the funeral of a member or veteran of the armed service.

Leave Without Pay

Leave without pay (LWOP) is requested and approved absence from work which may be permitted under certain conditions. LWOP may be granted for short periods of time when an employee's needs can be accommodated without undue interruption to the work; or for extended periods of a year or more, when the Department's purposes, or the broader interests of the Government are served by the employee's absence.

Maternity (Paternity) Leave

Maternity leave is not actually a separate category of leave. It is annual leave, sick leave, leave without pay, or some combination of them, for absences associated with pregnancy, child birth, or infant care. Sick leave may be used to cover maternity absences only when the employee is medically unable to work, and not solely for the purpose of infant care.

For Women.—If you become pregnant, sick leave may be used to cover the time needed for physical examinations, prescribed rest periods, and the time of incapacitation. After delivery, any period of recuperation which is medically advisable may be covered by sick leave. Any additional time needed solely to care for the newborn or to make arrangements for child care may be charged against annual leave or LWOP.

When you discuss your need for maternity leave with your supervisor, you should specify what kind(s) of leave you want, the approximate dates, and the anticipated duration of your absence.

For Men.—If you want to take time off to care for your newborn infant, or for the infant's mother or your other children while she is incapacitated either before or after the birth, you may request annual leave or leave without pay to do so. If you request paternity leave, the needs of you and your family will be given great weight in balancing your request against the work demands on the Department.

Other Absences

Excused Absence.—You may be excused from work without charge to leave for various reasons. Some examples of excused absence, often called "administrative leave," are: local holidays, voting and registration, taking certain employment examinations, blood donations, travel between duty stations, mandatory physical examinations, emergency conditions, etc.

Probably the most common reason for excused absence is tardiness. You are expected faithfully to observe official working hours and report for work on time. If you are less than an hour late, your supervisor decides how to charge the time. You may be required to work extra time, deduct the time from any compensatory time, or to take annual leave, or at your request, LWOP. If your tardiness is infrequent and you have an adequate reason, your lateness may be excused.

If you are more than an hour late, your supervisor may not excuse your absence. It may be charged,

with sufficient reason, to annual leave, sick leave, or at your request, to LWOP. If such latenesses are frequent or without good reason, approval of leave may also be denied and you may be considered absent without leave (AWOL).

Unauthorized Absence.— The absence of an employee who does not secure approval of annual leave, sick leave, or leave without pay is recorded as AWOL. The employee receives no pay for the period of unauthorized absence. AWOL may also result in disciplinary action.

NOTES

Performance Appraisal

Appraising your performance is one of the most important responsibilities of your supervisor because the results of performance appraisals are used as a basis for making job-related decisions concerning training, awards, reassignment, promotion, reduction-in-grade, retention, and removal.

Within the Department of Commerce there are three performance appraisal systems: one for members of the Senior Executive Service; one for employees covered by the merit pay system; and another for general work force employees. Each of these systems requires your performance to be appraised at least annually on the basis of objective, job-related criteria. The appraisal process has three stages: performance planning, progress review, and appraisal.

During the planning stage, you and your supervisor meet formally, at the beginning of each appraisal period (normally one year), to discuss your job, identify performance elements (some of which will be designated critical), and specify performance standards. A written performance plan will be developed based on objective, work-related criteria. The performance standards contained in the plan will be expressed in terms of quality, quantity, and timeliness.

The performance plan developed by you and your supervisor is important because the critical elements and performance standards identified in the plan serve as the basis for evaluating your performance at the end of the appraisal period.

To be sure that you understand just how important critical elements are, you should know that failure to meet the minimum performance standards established by your supervisor requires remedial action and denial of a within-grade increase. It may also be the basis for removing or reassigning you, or reducing your grade level.

The next step in the appraisal process is the progress review stage. It is included to ensure that you get performance feedback from your supervisor. This feedback is given throughout the appraisal period when your supervisor meets both formally and informally with you to discuss your performance, provide you with information on specific

aspects of your work, and identify any performance problems which may be occurring. If any problems with your performance are identified, you will be given an opportunity to correct them. At least one formal progress review must be held around the mid-point of the appraisal cycle.

The last step, the formal appraisal of your work, occurs near the end of the appraisal period. Your supervisor will notify you in advance of the date for your formal performance appraisal. Before this meeting, you may wish to schedule a pre-appraisal meeting with your supervisor to present your own assessment of your performance during the rating period and to point out any specific aspects of your performance of which he or she may not be aware. Your supervisor will then meet formally with you to rate your performance during the past appraisal period. The appraisal will be based on the performance standards agreed to at the beginning of the appraisal period. A rating of Outstanding, Commendable (some operating units may not have a Commendable Level), Satisfactory, Marginal, or Unsatisfactory will be recommended by your supervisor. You will be given a copy of the rating and asked to sign it. Signing it does not necessarily mean that you concur with the rating, but only that you have seen it. The rating becomes final only when it is concurred in by an approving official who is usually at least one organizational level above your immediate supervisor. You may comment on your rating before it becomes final. If you receive a less than Satisfactory rating, your supervisor must initiate some action, such as providing formal training to improve your performance, restricting the scope of your job or removing you from your position.

The appraisal process as described in this chapter has two very important goals. The first is to increase individual productivity by providing employees with the information they need to do their jobs effectively; and the second is to improve organizational productivity by promoting communication between employees and supervisors about job-related matters so that better and more efficient methods of operation can be developed.

NOTES

Incentive Awards for Suggestions and Special Achievements

The Government Employees Incentive Awards Program establishes different types of recognition for employees who are responsible for improvements in Government operations and services.

Suggestions

You may receive cash or honorary recognition for a suggestion which contributes directly to doing a better or more economical job. Your suggestion may be concerned with an improvement within your work assignment or entirely outside your present job. If your idea is adopted, you receive a certificate and usually a cash award in proportion to the benefits of the idea. A suggestion should be written on an official suggestion blank (Form CD-36) or a S.M.A.R.T. form, which is available from the Incentive Awards Program Officer of your servicing personnel office. You can submit a suggestion directly to that individual or to your supervisor, who can assist you with your suggestion before it is evaluated.

Special Achievements

Employees may be recommended by their supervisors to receive individual or group cash awards in recognition of outstanding work performance or creative efforts. Exceptional work performance for one year may merit this type of award. If you are a GS employee, your work performance may be recognized by a permanent raise in pay with an additional salary step increase known as a "quality increase" instead of a cash award. Employees may also receive cash awards for a one-time special act or service in the public interest which greatly exceeds the normal requirements of the employee's job.

The Incentive Awards Program Officer in each operating unit can provide more information about awards for special achievement and quality step increases and can help supervisors to determine the appropriate type or amount of award.

Honorary Awards

Many employee suggestions, services, or special achievements are of such a nature that a cash award would be inappropriate. Often a certificate of appreciation or letter of commendation from an official of the Department serves to record and recognize those special efforts. The Department accords recognition of the creditable service of long-term employees by awarding an emblem after 15 years of Government service and after each additional 5 years of service.

Of special importance are the Medal Awards, which are the highest awards bestowed by the Department.

- The Bronze Medal—granted by the head of an operating unit and the appropriate Assistant Secretary for a significant contribution to the operating unit.
- The Silver Medal—granted by the Secretary for meritorious contributions of unusual value to the Department.
- The Gold Medal—granted by the Secretary for rare and distinguished contributions of major significance to the Department, the Nation, or the world.

More information about these awards can be obtained from your Incentive Awards Program Officer of the personnel office in each operating unit.

NOTES

Training and Career Development

When you first begin work for the Department, you normally are given a general introduction to the objectives of your operating unit by the personnel or administrative office. There is usually some immediate on-the-job training by your supervisor too, so that you know exactly what is to be done and what the procedures are.

In addition to the on-the-job training that you receive from your supervisor and other employees, you may receive formal training aimed at helping you improve your skills or techniques on your present job. Such training may involve classroom instruction, meetings or conferences, exposure to new equipment, and reading of manuals and similar instructional materials. Other training looks more to the future; it imparts more general knowledge or understanding, or prepares you for assignments that you might reasonably be expected to assume in the future. You may be rotated through different work assignments or enrolled in a series of courses as part of an approved career training program;

courses for new or prospective supervisors, for experienced managers, and for employees encountering a new technology are examples of this type of career training.

The many training opportunities that the Department provides are related to the needs of your organization and the size of the training budget. In the interest of your own self-development, you can supplement your on-the-job training and experience with after-hours study in local schools and universities. If you are interested in such self-improvement, your training office or your supervisor may be able to give you helpful suggestions or advice. In some parts of the Department, there are special programs to assist employees in the lower pay levels who are pursuing self-improvement through college-type training. Taking advantage of such training opportunities both on and off the job is an important part of a successful career.

NOTES

Health and Safety

Health Units

At each major location in the Washington area and in many larger field locations, there is a health unit with a registered nurse and the services of a physician. Normally, the health unit does not substitute for your private doctor or provide continuing treatment of medical problems. They do offer these kinds of services:

- Emergency treatment of illness or injury
- Arrangement for emergency ambulance service
- Administration of special medications and treatments requested by your own physician
- Periodic disease detection programs for diabetes, glaucoma, and defective hearing
- Immunizations for official travel to other countries
- Counseling on any health problem that may be affecting your job performance
- Referral for private treatment to qualified health professionals

Employee Assistance Programs

Abuse of alcohol or other drugs or emotional problems can affect health and performance just as much as physical illness. Your organization has a program for employees who seek help with emotional problems or concerns with alcohol or drug abuse. If these kinds of problems are suspected to be affecting an employee's job performance, the employee may be advised individually of the availability of the program. While most employee assistance programs in the Department do not offer continuing treatment, they do provide some preliminary diagnosis, and referral to a community resource or private treatment facility. Whether an employee participates in the employee assistance program on a supervisor's suggestion or on their own initiative, all discussions with counselors and any other program activities are confidential and may be transmitted to no one outside the program, including the employee's supervisor unless the employee elects to waive confidentiality.

Safety Program

Each operating unit has a formal program to prevent accident and injury. But safety on the job is everyone's business. The Department, relying on the

experience of its managers and supervisors, intends to provide safe working conditions. As an employee, you are expected to observe safety requirements and to follow safety instructions given by your supervisor. You are also encouraged to report unsafe conditions or practices to the responsible supervisor for corrective action. Also, you have the right to request inspection of the workplace if you believe there are unsafe working conditions. These requests should usually be in writing to your Safety Officer; however, in emergencies, requests for inspection may be made orally.

Injuries and Accidents

If you are injured on the job, the first thing you should do is get treatment. If your health unit or first aid station is unable to treat your injury, medical care will be provided at Government expense by a local treatment facility or a qualified physician of your choice. Except in emergencies, the payment of the expenses for medical treatment of job injuries should be authorized in writing by your supervisor in advance.

Any injury, however slight, should be reported to your supervisor. A formal accident report will then be completed as a factual record of the accident and as a basis for resolving claims for injury compensation.

Compensation for Injury or Illness

If you are injured on the job or suffer from an occupational disease, you are entitled to free medical care and compensation for time lost in excess of three workdays. Depending on the circumstances of your injury or illness, compensation may include: 67-75% of your rate of pay for total disability, partial compensation for loss of earning power resulting from loss of organs or impairment of functions, and some restoration rights upon recovery. If you die, compensation is paid to your survivors.

Treatment for traumatic injury on the job or occupational disease will be given at Federal hospitals or other approved medical facilities.

Under certain conditions, you will be continued in pay status for up to 45 days after a work-related injury or the discovery of an occupational disease.

NOTES

Labor Organizations

Under law, each employee has the right to join a union or labor organization or not to do so, and is protected in the exercise of this right from penalty or reprisal. Employees are also free to form or assist labor organizations, to participate in managing them, and to act as labor organization representatives. There are a few exceptions: supervisors and managers may join unions but may not participate in the management or representation of unions, nor may other employees whose participation would involve a conflict or apparent conflict of interest with their official duties.

There are various labor unions that have been recognized as representatives of employees within

the Department. If the employees where you work have elected a union to be the exclusive representative for all the employees, you may find that dues can be paid through payroll allotment and that there are special negotiated procedures to handle complaints. Even where there is exclusive recognition of a particular union, you remain free to join or not, to bring matters of personal concern to appropriate officials, and to use established appeal and grievance procedures for any matter not specifically covered by a written agreement.

NOTES

Labor Organizations

Employee Services and Activities

Employee Organizations

A number of organizations have been formed voluntarily for the benefit of employees of the Department. There are employee welfare and recreation associations in most operating units, sponsoring a variety of off-duty activities that are of mutual interest to members. There are also organizations formed to promote the common interest of the members, such as civil rights and overseas benefits. You are free to join or participate in these organizations or other employee organizations that may be formed, or to refrain from doing so. Of course, any organization that is formed for the benefit of employees of the Department must be democratically organized and open to all employees in the area, with elected officers and a system for controlling and accounting for funds. These organizations are distinct from the labor organizations which have attained exclusive recognition as discussed elsewhere in this handbook.

Blood Donor Program

In the Washington area, and in many other communities across the country, there is a group blood donor program offered through the American Red Cross. The Washington area program provides free blood (except for handling charges) for an employee and for members of the family anywhere in the continental United States. Family members include children under 18, parents and grandparents (including "in-laws"), and any dependent relative living in the employee's household. If you work in a field location, your employing office may belong to a similar local blood donor plan. The Department allows supervisors to grant employees up to four hours of administrative leave to donate blood (including any travel time and rest period afterward).

Credit Union

A credit union is an employee-owned and employee-managed organization for saving and lending money among the members. It is a Federally-chartered organization with fully-insured savings, run by and for employees through an elected board of directors. All employees are eligible to join the Department of Commerce Federal Credit Union, except those in the Patent Office, National Bureau of Standards, and Bureau of the Census who have formed their own credit unions. However, there is

a six-month waiting period for part-time employees, and full-time employees (other than political appointees) who are not on permanent appointments. Employees in the field may find that they are eligible to join a local Federal credit union as well as the Commerce Credit Union.

Combined Federal Campaign

Once each year in over 500 communities across the nation, Federal employees have the chance to contribute to the many charitable organizations that depend upon such voluntary generosity to help those who are most in need. The Combined Federal Campaign is usually linked to a similar fund-raising effort in the local community. During this annual effort, you receive a brochure describing the local campaign and the organizations that need contributions. This is the only on-the-job charitable solicitation that is authorized in the Federal Government, and your participation is purely voluntary. The amount you can contribute in cash or by pledge remains confidential; many employees choose to give both generously and "painlessly" through year-round payroll deductions. You may also designate particular organizations to receive specific amounts from your contribution.

Library

The Department maintains a number of libraries with specialized collections located where employees most often need to refer to them. In the Departmental Library in the Herbert C. Hoover Building, there are 220,000 volumes relating to business, economics, legislation, and the law. Another substantial collection is maintained in the Census Bureau in Suitland, Maryland, with particular attention to present and past censuses and surveys and materials prepared by local organizations and foreign governments. Large libraries of scientific and technical interest are maintained at the Patent and Trademark Office in Arlington, Virginia, and at the National Bureau of Standards in Gaithersburg, Maryland. The National Oceanic and Atmospheric Administration has large collections in the Atmospheric Sciences Library at the Gramax Building (Silver Spring, Maryland) and in the Marine and Earth Sciences Library at the Washington Science Center (Rockville, Maryland).

Outside the Washington area there is a large scientific library serving the laboratories and research efforts of the Department at Boulder, Colorado, and there are many smaller libraries at NOAA's various weather and marine fishery facilities.

Through the inter-library loan program, the libraries of the Department can meet the reference needs of most employees and can obtain books from the Library of Congress and university libraries when necessary.

Employee Conduct

The Code of Ethics for Government Service enacted by Congress is as follows:

Any Person in Government Service Should:

"PUT loyalty to the highest moral principles and to country above loyalty to persons, party, or Government department."

"UPHOLD the Constitution, laws, and legal regulations of the United States and all governments therein and never be a party to their evasion."

"GIVE a full day's labor for a full day's pay; giving to the performance of his duties his earnest effort and best thought."

"SEEK to find and employ more efficient and economical ways of getting tasks accomplished."

"NEVER discriminate unfairly by the dispensing of special favors or privileges to anyone, whether for remuneration or not; and never accept for himself or his family, favors or benefits under circumstances which might be construed by reasonable persons as influencing the performance of his governmental duties."

"MAKE no private promises of any kind binding upon the duties of office, since a Government employee has no private word which can be binding on public duty."

"ENGAGE in no business with the Government, either directly or indirectly, which is inconsistent with the conscientious performance of his governmental duties."

"NEVER use any information coming to him confidentially in the performance of governmental duties as a means for making private profit."

"EXPOSE corruption wherever discovered."

"UPHOLD these principles, ever conscious that public office is a public trust."

As an employee of Commerce and of the Federal Government, you have been given a public trust. Because of this, your conduct must meet the highest ethical principles. Your adherence to these standards is the primary guarantee that the public interests will be served and the reputation of the Department will be protected. Usually, generally accepted ethical standards and your own common sense will be sufficient guidelines. Some specific standards of conduct unique to the Federal sector are described below. Whenever you have a question about your obligations as a Federal employee,

ask before you act. Your supervisor and your General Counsel will be glad to advise you.

Department of Commerce: Employee Responsibilities and Conduct

All employees of the Department receive a copy of its regulations governing Employee Responsibilities and Conduct, and are asked to certify that they have read them. As an employee, you are presumed to know and are expected to comply with all laws and regulations related to your employment and conduct. The fact that a particular law or regulation has not been called to your attention will not excuse any violation on your part. The Department's standards of conduct are not all-inclusive, but they do contain the central principles and standards which should guide your conduct. If you have not read these regulations, please obtain a copy from your personnel office and become familiar with them.

Political Activity

The Hatch Act restricts political activities of Federal employees and requires severe penalties for violations. These restrictions apply whether you are on leave with or without pay as well as when you are on active duty.

Some exceptions to Hatch Act provisions have been made to permit employees residing near the District of Columbia to take part in municipal affairs. Consult your personnel office if you have a question about what you may or may not do.

You May — Register and vote as you choose. Assist in voter registration drives. Express your opinion about candidates and issues. Participate in campaigns if none of the candidates represents a political party. Contribute money to a political organization or attend a political fund-raising function. Attend political rallies and meetings. Join a political club or party. Sign nominating petitions. Campaign for or against referendum questions, constitutional amendments, and municipal ordinances. Wear or display political badges, buttons, or stickers (but not in connection with your employment, i.e., not while working, not on a vehicle used for work).

You May Not — Campaign for partisan candidates or political parties. Make campaign speeches or engage in other activities to elect a partisan candidate. Work to register voters for one party only. Be a candidate or work in a campaign if any candidate represents a national or state political party. Collect contributions or sell tickets to political

fund-raising functions. Distribute campaign materials in a partisan election. Organize or manage political rallies or meetings. Hold office in a political club or party. Circulate nominating petitions. Campaign for or against a candidate or slate of candidates in a partisan election.

Financial Disclosure

Some employees have to make statements describing their outside employment and financial interests. Generally, a public financial disclosure is required from employees in the Senior Executive Service; employees in the excepted service with confidential or policy-advising duties (Schedule C's); administrative law judges; and Rear Admirals in NOAA's Commissioned Corps. A confidential statement of financial interests is also required of certain employees in the GS-13 to 15 grade range, such as auditors, attorneys, officials with significant management responsibilities at certain organizational levels, and employees who make decisions about the award of contracts or grants, regulate or audit non-Federal enterprises, or who otherwise have an economic impact on non-Federal enterprises. Other employees whose outside employment or financial interests may represent a conflict of interest, or the appearance of one, may have to make financial disclosure. If you have any question that your position or your outside interest require financial disclosure, contact the attorney or personnel specialist to have the issue decided.

Prohibited Personnel Practices

By law, Federal employees may not:

- Discriminate
- Solicit or consider employment recommendations based on factors other than personal knowledge or records of job related abilities or characteristics
- Coerce the political activity of any person
- Deceive or willfully obstruct any person from competing for employment
- Influence any person to withdraw from job competition

- Give unauthorized preferred treatment or advantage to improve or injure the prospects of any particular person for employment
- Engage in nepotism (hiring or promoting relatives)
- Take reprisal for bona fide whistleblowing
- Discriminate based on personal conduct which is not adverse to the performance of the employee, applicant, or others
- Violate any law, rule, or regulation concerning merit system principles.

Misuse of Computers and Computer-Generated Information

The use of any Government computer facility, computer system, or related computer equipment, including the use of data terminals and word processors, for anything other than official, authorized purposes is prohibited. Employees are also prohibited from using computer-generated data or information for anything other than official, authorized purposes. Commerce employees or other individuals with access to Government computers and related equipment who knowingly misuse this equipment or its output for personal, recreational, or other unofficial uses will be subject to disciplinary actions, up to dismissal and/or criminal prosecution.

Penalties for Violation

Commerce has a penalty guide that lists many common kinds of offenses and the penalties which may result for violations. The table is reproduced immediately following this section. The table is not intended to be all-inclusive. You are liable to be disciplined for offenses not listed at all or merely implied under a more general offense. Usually, the table states a range of penalties, and the circumstances of each case are considered individually in setting a penalty.

TABLE OF OFFENSES AND PENALTIES

OFFENSES	PENALTIES		
	First Offense	Second Offense	Subsequent Offense
Relationships with Public			
1. Failure to obtain any required clearance of official speech or article to removal (See DAO 219-1).	Written reprimand to removal	5 days suspension to removal	30 days suspension to removal
Security Regulations			
2. Violation of a security regulation	Oral admonishment to removal	5 days suspension to removal	30 days suspension to removal
Outside Employment & Interests			
3. Engaging in private business activities of a prohibited or unethical nature (See DAO 202-735 for details).	Written reprimand to removal	5 days suspension to removal	30 days suspension to removal
4. Acceptance of improper dual employment or dual compensation by U.S. Government	Written reprimand to removal	5 days suspension to removal	30 days suspension to removal
5. Acceptance by an employee of gratuity which might reasonably be interpreted as tending to affect the performance of official duties.	Written reprimand to removal	5 days suspension to removal	30 days suspension to removal
6. Acceptance of foreign employment without prior authorization.	5 days suspension to removal	30 days suspension to removal	Removal
Political Activity			
7. Improper political activities (See DAO 202-731).	Suspension or removal as determined by the Merit Systems Protection Board or the Department.		
Conduct on the Job			
8. Unauthorized absence from the job during working hours or on any scheduled day of work.	Oral admonishment to 3 days suspension	Written reprimand to 5 days suspension	5 days suspension to removal.
9. Tardiness.	Oral admonishment to 1 day suspension	Written reprimand to 5 days suspension	5 days suspension to removal
10. Improper use of sick leave	Written reprimand to 10 days suspension	5 days suspension to removal	30 days suspension to removal
11. Intoxication caused by alcohol or other drugs:			
a. Intoxication while on duty which impairs the ability to perform duties properly.	5 days suspension to removal	30 days suspension to removal	Removal
b. Selling intoxicants on premises occupied by the Department.	Removal		
c. Unauthorized possession or use of intoxicants on premises of the Department.	3 days suspension to 30 days suspension	10 days suspension to removal	30 days suspension to removal
12. Promotion of gambling or lotteries on Government premises or while in duty status.	5 days suspension to removal	5 days suspension to removal	Removal
13. Gambling on Government premises or while in duty status.	Written reprimand to 10 days suspension	5 days suspension to removal	30 days suspension to removal
14. Lending and borrowing:			
a. Borrowing money or obtaining co-signature from subordinates.	Written reprimand to removal	5 days suspension to removal	30 days suspension to removal
b. Lending of money to other employees at usurious rates.	Written reprimand to 10 days suspension	5 days suspension to removal	30 days suspension to removal
15. Creating a disturbance in the work place or on premises of the Department.	Written reprimand to 10 days suspension	5 days suspension to removal	30 days suspension to removal
16. Fighting.	Written reprimand to removal	5 days suspension to removal	30 days suspension to removal
17. Conduct which violates common decency or morality including use of improper or obscene language.	Written reprimand to 10 days suspension	5 days suspension to removal	30 days suspension to removal
18. Making vicious, malicious or knowingly false statements concerning another officer or employee of the Government.	Written reprimand to 10 days suspension	5 days suspension to removal	30 days suspension to removal
19. Negligent or intentional injury to person or property of other employees.	Written reprimand to removal	5 days suspension to removal	30 days suspension to removal

TABLE OF OFFENSES AND PENALTIES —Continued

OFFENSES	PENALTIES		
	First Offense	Second Offense	Subsequent Offense
20. Safety (non-motor Vehicle): Violation of safety regulations, instructions, or prescribed safe practices, including failure to report accident or injury	Oral admonishment to 3 days suspension	Written reprimand to 5 days suspension	5 days suspension to removal
21. Safety (Government Motor Vehicle Operations): Violation of traffic laws, safety regulations or instruction or safe driving practices, including failure to report accident or injury	Written reprimand to removal	5 days suspension to removal	30 days suspension to removal
22. Government Property:			
a. Willful or negligent damage or defacement.	Written reprimand to removal	5 days suspension to removal	30 days suspension to removal
b. Use of or allowing the use of Government motor vehicles, aircraft or watercraft for other than official purposes.	30 days suspension (mandatory) to removal	Removal	
23. Act of negligence or careless workmanship in performance of duty resulting in waste of public funds or inefficiency.	Oral admonishment to 3 days suspension	Written reprimand to 5 days suspension	5 days suspension to removal
24. Use of or allowing use of Government funds, property, personnel, or other resources for unauthorized purposes.	5 days suspension to removal	30 days suspension to removal	removal
25. Conducting personal affairs while in duty status.	Written reprimand to removal	5 days suspension to removal	30 days suspension to removal
26. Loafing, willful idleness, wasting time.	Oral admonishment to 3 days suspension	Written reprimand to 5 days suspension	5 days suspension to removal
27. Sleeping on duty:			
a. Where safety or persons or property is not endangered.	Written reprimand to 10 days suspension	5 days suspension to removal	30 days suspension to removal
b. Where safety of persons or property is endangered.	5 days suspension to removal	30 days suspension to removal	Removal
28. Failure or excessive delay in carrying out orders or assignments.	Written reprimand to 10 days suspension	5 days suspension to removal	30 days suspension to removal
29. Insubordination.	Written reprimand to removal	5 days suspension to removal	30 days suspension to removal
30. Improper use of official credential card.	3 days suspension to 30 days suspension	10 days suspension to removal	30 days suspension to removal
31. Unethical use of official authority or information	30 days suspension to removal	Removal	
32. Acceptance of voluntary services for the Government contrary to statute.	Removal (required by statute) (31 U.S.C. 655)		
33. Attempted use of influence or pressure to secure favor in the appointment, transfer, advancement or retention of a relative in the Department.	5 days suspension to removal	30 days suspension to removal	Removal
34. Violation of "no strike" affidavit.	Removal		
35. Unauthorized canvassing, soliciting or peddling on Department premises.	Oral admonishment to 3 days suspension	Written reprimand to 5 days suspension	Removal
36. Deliberate or grossly negligent violation of merit principles or procedures with a demonstrable adverse effect on one or more persons.	Written reprimand to 10 days suspension	5 days suspension to removal	30 days suspension to removal
37. Harassing, threatening or taking reprisal action against an employee as a result of or in anticipation of a grievance, appeal, complaint, or other exercise of rights.	5 days suspension to removal	30 days suspension to removal	Removal
38. Misappropriation of funds.	Removal		
39. Inefficiency.	Demotion or separation (as authorized by Chapter 43 of Title 5, U.S. Code)		
40. Gifts to official supervisors—soliciting contributions for gift or present to those in superior official positions, accepting gifts or presents from Government employees receiving lower salary, or making donations as a gift or present to official supervisors.	Removal (required by 5 USC 7351, see also 5 CFR 735. 202 (d))		

TABLE OF OFFENSES AND PENALTIES —Continued

OFFENSES	PENALTIES		
	First Offense	Second Offense	Subsequent Offense
Personal Conduct or Character			
41. Misconduct generally—criminal, infamous, dishonest, or notoriously disgraceful conduct.	Written reprimand to removal	5 days suspension to removal	30 days suspension to removal
42. Misrepresentation, falsification, or omission of material fact in connection with application, employment or any record, report, investigation or other proceeding	Written reprimand to removal	5 days suspension to removal	30 days suspension to removal
43. Certification to the accuracy of a position description containing substantial inaccuracies which may be grade controlling	Written reprimand to removal	5 days suspension to removal	30 days suspension to removal
44. Conduct demonstrating untrustworthiness or unreliability.	Written reprimand to removal	5 days suspension to removal	30 days suspension to removal
45. Discrimination *	5 days suspension to removal	30 days suspension to removal	Removal
46. Refusal to answer appropriate interrogation in proper authorized inquiry.	Written reprimand to removal	5 days suspension to removal	30 days suspension to removal
47. Failure to pay a just financial obligation in a proper and timely manner (DAO 202-735A).	Written reprimand to removal	5 days suspension to removal	30 days suspension to removal
48. Violation of any administrative regulation which does not provide a penalty:			
a. Minor Offense	Oral admonishment to 3 days suspension	Written reprimand to 5 days suspension	5 days suspension to removal
b. Major Offense	5 days suspension to removal	30 days suspension to removal	Removal

* As used in this table, discrimination refers to specific acts taken by an employee in the performance of his/her official duties which discriminate against one or more individuals on the basis of race, sex, religion, color, age, national origin, handicapping condition, marital status, or political affiliation.

NOTES

When Things Aren't Right

Commerce Grievance System

If you are unhappy about any of your working conditions, the best thing is to try to settle it informally. Talk over the problem with your supervisor, or the person responsible for what you are dissatisfied with. Most problems can be resolved informally this way. If not, you have a right to file a complaint under the Department's Administrative Grievance System. Some matters can't be grieved, such as your job classification, nonselection for promotion, and failure to get an award. But most everything which affects you personally for which there is no other course of appeal is grievable. To file a grievance, you must state your dissatisfaction and the relief you seek to the person responsible for it. If you are still dissatisfied, you can submit a written grievance stating the problem and the relief sought to the personnel officer. A deciding official will be designated, and your grievance will be considered. For more specifics, contact your personnel office.

Negotiated Grievance Procedures

If you are a member of a work unit that has a labor-organization-negotiated grievance procedure, there may be a somewhat different manner of processing grievances. Your union steward or your personnel office can explain how to use such procedures.

Appeal Rights

There are certain management actions that can be appealed to an independent agency of the Federal Government, the Merit Systems Protection Board (MSPB). Most, but not all, employees are eligible to appeal, depending on their conditions of employment and the kind of action. The exact procedures vary with the type of action. The most common appealable actions are: involuntary removals; suspensions of more than 14 days; reductions in grade or pay; furloughs; reductions in force; and within-grade increase denials. If you are affected by an action which you have a right to appeal to MSPB, you will be given a detailed explanation of where and how to appeal when you are notified of the action.

Discrimination Complaints

Discrimination on the basis of race, color, religion, sex, national origin, age (40 and over), or mental

or physical handicapping condition is prohibited by law. If you have been discriminated against for any of these reasons, you have a right to complain. If you believe you have been discriminated against, you should contact an EEO counselor in your operating unit. If the counselor cannot resolve the complaint informally, he or she will give you the information on how to file a formal complaint. Your personnel office or office of civil rights can tell you who your EEO counselor is.

Whistleblowing

If in the performance of your job, you observe or obtain evidence of a violation of a law or regulation, mismanagement, gross waste of funds, an abuse of authority, or a substantial danger to health and safety, you are expected to make every reasonable effort to correct these conditions through ordinary management channels. If these efforts fail, you have a right and an obligation to disclose the situation to outside authorities. Two offices are specifically authorized to investigate and take action to remedy such matters: the Department's Office of the Inspector General and the Office of the Special Counsel of MSPB. You are protected by law from reprisal for making such disclosures which are supported by reasonable evidence.

Inspector General

The Office of Inspector General (OIG) provides leadership to Departmental activities addressing matters of inefficiency, waste, mismanagement, fraud and abuse of authority within Commerce programs and operations. By Department policy, each employee is required to report to management, an Agency Liaison or the OIG, information indicating the possible existence of a violation of law, rules, or regulations; mismanagement; gross waste of funds; abuse of authority or a substantial and specific danger to the public health or safety. Failure to report such information may result in disciplinary action, including dismissal.

Information concerning fraud, abuse, mismanagement, or waste may be reported directly to the OIG by using its confidential hotline communications system. The Hotline is in operation from 8:30 a.m. to 5:00 p.m., eastern time, Monday through Friday. Commerce employees may reach the Hotline on 724-3519 (or 8-724-3519 on FTS lines from outside the Washington area). If you are calling

from a private or commercial telephone outside metropolitan D.C., use the Hotline toll-free number, 800-424-5197 or you may write to the IG at:

Office of Inspector General
Department of Commerce
P. O. Box 612
Ben Franklin Station
Washington, D.C. 20044

All information reported is strictly confidential. You may remain anonymous if you wish. If you do provide your name, however, it will be disclosed only with your prior consent unless disclosure is absolutely necessary for judicial or administrative proceedings.

Office of the Special Counsel

If you observe or experience a prohibited personnel practice as described above, or if you have evidence of a violation of law, rule, or regulation; mismanagement; a gross waste of funds; an abuse of authority; or activities which are a substantial and specific danger to public health and safety, you may report these to the Office of the Special Counsel of the Merit Systems Protection Board. You may contact the Office of the Special Counsel by writing to:

The Office of the Special Counsel
Washington, D.C. 20419
or calling (202) 653-7188.

Separations

From time to time, it is necessary for employees to leave their jobs—to be separated. This can be voluntary (for personal reasons) or involuntary (at the request of the agency). Examples of voluntary separation might be that you resign because you are leaving the area or that you want to transfer to another agency or to a non-Government job locally. An involuntary separation could occur if the agency were forced, because of budget restrictions, to reduce its number of workers. Or an employee could be removed for unsatisfactory conduct or poor work performance. The personnel office or your supervisor can explain these things to you.

When you Leave

Your building pass and identification card must be turned in to your supervisor when you terminate employment with Commerce. All Government property, transportation requests, correspondence, records, and library materials must be accounted for, and any indebtedness for overdrawn leave or advance of funds must be settled before final salary payment is made.

Transfer or Resignation

Commerce wants to retain its productive employees, whenever possible. However, no one will be hindered from resigning or from transferring to another Government agency.

Supervisors may neither force an employee to resign nor refuse to accept a resignation, whatever the reason. If an employee resigns in the face of agency action to remove him or her for poor performance or misconduct, the official resignation papers will state that.

As your part in keeping your voluntary separation fair and equitable, you are expected to advise your supervisor at least two weeks in advance of the date on which you expect to leave. This allows a reasonable time to find a replacement.

You should submit your resignation in writing, giving the reason for it, the last working day, and your forwarding address. Standard Form 52, which may be obtained from your supervisor or the personnel office, is preferred for this purpose.

Reductions in Force

Reductions in force are sometimes necessary because the work unit lacks funds, there is a reorganization, or the work is completed.

If you are ever involved in a reduction in force, you will be given at least a 30-day advance notice before separation or change to a lower grade. Employees who are placed in a lower grade as a result of a reduction in force receive special consideration for repromotion.

In general, persons having appointments of one year or less are separated first. All other employees are placed in 'tenure' groups; these define which employees are retained longest and which employees are separated first.

The order in which employees are separated is determined by Office of Personnel Management regulations. A listing which shows the order of release by kind of job is called a 'retention register.' Your type of appointment, whether you are a veteran, your length of service, and your work efficiency affect your standing on the list. You may see the list in the personnel office. Questions will be answered there or by your supervisor.

The names of career and career-conditional employees who are separated by a reduction in force are placed on Commerce's Reemployment Priority List. They will receive first consideration when vacancies occur for which they are qualified. The names of career employees will be on the priority list for two years, and the names of career-conditional employees for one year from the date of separation.

You may appeal a reduction in force to the Merit Systems Protection Board if you believe your rights have been violated under the regulations. This appeal must be in writing and within 20 days of the effective date of the reduction in force action.

Severance Pay

If you are involuntarily separated from Federal service and are not due an immediate annuity under the retirement system, you may be eligible for severance pay. Eligibility depends upon the type of appointment and a minimum length of service. The amount of severance pay is determined by basic pay at the time of separation, length of Federal service, and age. The money is paid at regular intervals until the severance pay fund is exhausted. For further information, check with your personnel office.

Separation During Probationary Period

If you are a new general schedule employee with a career-conditional appointment, you must serve

a one-year probationary period. If your performance or conduct are deficient during the year, you may be separated. Usually, unsatisfactory probationary employees are notified of their separation in writing. During the probationary year, you also may be separated for unacceptable conduct before employment—for example, for intentionally falsifying your application.

Separation for Cause

The law requires that any employee be separated whose conduct or performance is such that retention would not be in the best interests of the Government. Supervisors are responsible for recommending separations for cause.

Employees with a year or more continuous employment in the competitive service on nontemporary appointments and employees with veterans preference in the excepted service with a year or more continuous service, have a right to an advance notice and reply to the agency's intention to separate them for cause, if they are not on a probationary or trial period. Any reply made is carefully

considered, and the employee is notified in writing of the agency's decision before final action is taken. The notice of decision contains information about rights to appeal to the Merit Systems Protection Board. The employee can select a representative to assist in the preparation and presentation of his or her case.

An employee may be suspended, put in a lower grade or reassigned if it is believed that such action will correct unsatisfactory performance or conduct.

Unemployment Compensation

If you are separated, you may be entitled to unemployment compensation. But you must file a claim and register for work with the local office of your state employment service to receive unemployment benefits. This should be done as soon as you are separated.

The amount of money you will receive and the number of weeks for which you may be paid will depend upon the law of the state having jurisdiction over your claim.

Retirement

Most Commerce employees are covered by the Civil Service Retirement system. Your contributions to the system are a savings each payday to provide an income for you in later years and to protect your family if you should die while in Federal service.

Contributions

A deduction of seven percent is made each pay period from the basic salary of every covered employee for the retirement fund. Certain firefighting and law enforcement employees have deductions of seven and one-half percent.

If You Leave Before Retirement

Less Than Five Years Service.—Credit is given for both military and civilian service. However, a minimum of five years of civilian service is required before you may receive any annuity benefits. With less than five years of civilian service, you may receive a refund of the amount deducted from your salary. If you served over one year, interest is payable on this money to the date of your separation.

Five or More Years Service.—With five or more years of civilian service, you have the choice of having your deductions returned or leaving your money in the retirement fund.

The choice of leaving your money in the fund will make you eligible for a deferred annuity at age 62, and at that time, you may name a survivor annuitant. If you die before you are 62, no survivor annuity can be paid. Instead, your deductions will be paid in a lump sum to your survivor. Also, no interest will be paid on this money for any time after December 31, 1956.

If you wish your deductions returned, you must apply for the refund at least 31 days before you become eligible for an annuity. Applications for refunds may be made on Standard Form 2802. If you choose this option, you would, of course, receive no retirement annuity in later years.

Mandatory Retirement

Most Federal law enforcement and firefighting personnel must retire at age 55 if they have 20 years of civilian law enforcement and/or firefighting service.

When You May Retire

The following table shows the combinations of age, length of service, and conditions that will allow

you to retire and receive payments from the retirement fund.

Age	Length of Service and Special Condition
62 or older	— 5 years.
60 or older	— 20 years.
55 or older	— 30 years.
50 or older	— 20 years with involuntary separation through no fault of your own. Reduced annuity if you are under age 55.
50	— 20 years of service as a law enforcement officer or firefighter.
At any age	— 25 years with involuntary separation through no fault of your own. Reduced annuity if you are under age 55.
At any age	— 5 years with total disablement.

How To Estimate Your Annuity

Your retirement pay will depend on your length of service, average salary of the three consecutive years of your highest earnings, and some of the special conditions outlined in the next section. Basically, the formula for estimating your annuity is as follows: 1. Take one and one-half percent of your average yearly salary for the three-year period of your highest earnings. Multiply this figure by five years of your total service. 2. Take one and three-fourth percent of the same 'high-three' average salary and multiply the result by your years of service over five and up to ten. 3. Take two percent of your 'high-three' average salary and multiply the result by all service over ten years. Add the amounts obtained in steps 1, 2, and 3. This figure is your basic annuity, provided it does not exceed 80 percent of your average salary for the three consecutive years of your highest earnings. Here is a sample retirement calculation using and assuming 30 years of service and a 'high-three' average salary of \$15,000.

1 1/2 percent of \$15,000 x 5 —\$1,125.00

1 3/4 percent of \$15,000 x 5 —\$1,312.50

2 percent of \$15,000 x 20 —\$6,000.00

Sum, or basic annuity per year —\$8,437.50

The final determination of your annuity is made by the Office of Personnel Management, and the formula above provides only an estimate.

Law Enforcement/Firefighter Annuities.—

Eligible employees who retire under the special provisions for law enforcement officers or firefighters should use the formula outlined below to calculate annuities.

1. Take two and one-half percent of the "high-three" average salary, and multiply the result by 20 years of law enforcement/firefighting service.
2. Take two percent of the "high-three" average salary and multiply the result by the years of service over 20.

Cost-of-Living Raises

From time to time, cost-of-living raises in all Federal retirement annuities are granted so that retirement incomes keep pace with the costs of food, housing, and other necessities. These raises are determined on the basis of the Consumer Price Index.

How Special Conditions May Affect Your Annuity

Reduction Due to Age.—If you are younger than 55, your annuity will be reduced one-sixth of one percent for each month (two percent a year) you are under 55. This reduction does not apply if your retirement is for disability or under law enforcement/firefighting provisions.

Sick Leave.—When you are eligible for retirement, your unused sick leave (in full months) is added to your length of service and increases your annuity. For instance, if you have 22 years of service and seven and one-half months of unused sick leave, your total service would be 22 years, seven months. However, the unused sick leave cannot be used to meet the minimum length of service requirement for eligibility. For example, if you are 60 years of age and have 19 years, three months of service and nine months of unused sick leave, you are not eligible for an annuity until you have the full 20 years of service.

Disability.—If you retire for disability, you are guaranteed a minimum basic annuity amounting to the lesser of (1) 40 percent of your 'high-three' average salary, or (2) an annuity figured under the general formula as though service had continued to age 60. This guaranteed minimum applies only if you are under age 60 when you retire or if the minimum is more than your 'earned' annuity calculated under the regular formula.

Survivor Benefits.—Unless you choose otherwise at retirement, upon your death, your wife or husband will receive a survivor annuity of 55 percent of your basic annuity. To provide the survivor annuity, your basic annuity up to \$3,600 a year will be reduced two and one-half percent, and any portion of your annuity over \$3,600 a year will be reduced 10 percent. Should your marriage be dis-

solved by death, divorce, or annulment, your annuity may be restored.

If you are unmarried and in good health (as determined by an Office of Personnel Management examination without cost) at retirement, you may name a person with an insurable interest (one who would financially benefit from your continued life) to receive a survivor annuity after your death. The survivor's annuity will be 55 percent of your reduced annuity. The amount of reduction in your annuity will depend on the difference between your age and the age of the person named as survivor.

Service Not Covered by Retirement Deductions.—If no retirement deductions were made during some of your Federal work years or if you were refunded deductions for some years, you may want to consider the benefits you would receive from paying these amounts into the retirement fund.

All previous service is used to determine whether you are eligible to retire. However, when the amount of your annuity is computed, a period of service is not counted if retirement money was refunded, and a period when no deductions were made will result in a reduction in your annuity equal to one-tenth of the unpaid amount.

Benefits of Long-Term Service.—Some employees continue working after they have put in enough service to entitle them to the maximum annuity of 80 percent of their highest three-year average salary. For most employees, this point is reached with 41 years, 11 months of service.

Deductions made after the maximum annuity is earned, plus three percent interest, will be applied first toward payment of any amount due to cover retirement deductions refunded or not made and then to the purchase of additional annuity under the voluntary contribution plan. These deductions may also be withdrawn in a lump sum at the option of the employee at the time of retirement.

When Annuities Begin

The general rule is that annuities begin the day after separation or any other event establishing eligibility. For example, an employee who is 60 on June 2, and who is otherwise eligible for a retirement annuity, can make retirement effective June 2. The annuity begins as of June 3.

Death Benefits

If an employee dies after 18 months of civilian service, the widow (or widower) and dependent children are entitled to an annuity.

Widow or Widower.—The surviving spouse will receive at least 55 percent of the deceased's earned annuity under the regular retirement formula. However, the sum may be higher, depending on the deceased employee's service. The survivor's annuity is in addition to any benefit due to a child or children. Contact your personnel office for further explanation.

Dependent Children.—When a widow or widower has children, each child under 18—or unmarried child between 18 and 22 who is a student—will receive an annuity based on 60 percent of the employee's 'high-three' average salary divided by the number of eligible children. However, there is a dollar limit that changes as cost-of-living increases are given to retirees in their monthly checks.

When both parents are dead, each child receives an annuity based on 75 percent of the employee's highest average salary for three years divided by the number of eligible children. As indicated in the

previous paragraph, there is a dollar limit that changes as cost-of-living increases are given in retiree's monthly checks.

A Final Settlement.—If no widow, widower, or children entitled to annuity payments survive an employee, money to the employee's credit in the retirement fund is paid in a lump sum in the following order of beneficiaries: parents, estate, next of kin.

If you wish to name a different order, or a person or persons not included in the above, you must file Standard Form 2808 (Designation of Beneficiary). Your personnel office will assist you.

NOTES

